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that the armed forces were exempted from the provisions of the Bill was introduced by the late Mr. Daniel Thomas and the Hon. the Leader of the Opposition opposed it. I am sorry for the mistake."

(3) THE MADRAS DRUGS (CONTROL) BILL, 1949 (L.A. BILL NO. 28 OF 1949).

* THE HON. SRI J. L. P. ROCHE VICTORIA :—" Mr. Deputy President, Sir, I beg to move—

'*that the Madras Drugs (Control) Bill*[a], 1949 (*L.A. Bill No.* 28 *of* 1949), *as passed by the Legislative Assembly be taken into consideration at once*'.

" As mentioned in the Statement of Objects and Reasons, as a preventive measure against the rise in prices of drugs after devaluation, it was considered necessary to control the sale, supply and distribution of drugs in the Province. Accordingly, the Madras Drugs (Control) Ordinance, 1949, was promulgated. This Bill is intended to replace this Ordinance. This Ordinance was passed at a time when as a result of devaluation it was feared that drugs might go out of the market, especially those coming from foreign countries, or the prices might be unnecessarily enhanced and it might be difficult for the people to get necessary drugs. So, it was considered essential to immediately introduce an Ordinance to control the sale, supply and distribution of drugs. But still it is meant generally to control the prices and necessary provisions have been introduced into the Bill to fix the maximum price or rate which may be charged by a dealer or producer in respect of any drug. I request that the Bill may be taken into consideration at once."

THE DEPUTY PRESIDENT :—" Motion moved—

'that the Madras Drugs (Control) Bill, 1949 (L.A. Bill No. 28 of 1949), as passed by the Legislative Assembly be taken into consideration at once'."

SRI R. SURYANARAYANA RAO :—" Mr. Deputy President, Sir, I am very glad that as soon as devaluation took place, this Government perhaps on the instruction of the Government of India, passed the Drugs Control Ordinance. But it may be remembered that during the war-time too we had Drug Control Order and the provisions were more or less the same. But in that Order a distinction was sought to be made between the consumer, dealer, manufacturer, wholesale dealer and a retailer. In this Bill in many clauses they are all clubbed together. In that Order too the maximum quantity which at any time a dealer can possess was laid down in the following words :—

'No person other than a manufacturer, importer, wholesaler or retailer shall at any time have in his possession or under his control any drugs in excess of his normal requirements; and no wholesaler or retailer shall have in his possession or under his control at any time any drugs in excess of the quantity reasonably required to be held by him for the purposes of his business.'

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a Printed as Appendix VII on pages 689–694 infra.

In this Bill clause 4 lays down that the Commissioner shall fix the maximum quantity which may at any one time be possessed by a dealer or producer. I do not know how the Commissioner can be expected to fix the quantity that can be possessed by a dealer throughout the Province. If at any time a dealer violated this restriction, that is, if he possessed any drug in excess of the quantity reasonably required to be held by him for the purpose of his business, he can be punished. But now it is the Commissioner that must fix the maximum quantity which can be held by a dealer or producer in any particular locality and then if he is found to possess more than that, then he will be punished under this Bill. Having had some experience of the Drug Control Order during wartime and how it was administered, I wish our Government had merely copied the provisions of that Order making such alterations as were necessary in view of the changed condition.

" Sir, there is clause 8 which says ' No dealer or producer shall, unless previously authorized to do so by the Commissioner, without sufficient cause, refuse to sell to any person any drug within the limits as to quantity, if any, imposed by this Act '. I think this places the poor dealer at a great disadvantage. If a particular drug was in short supply, it would have been better if the Commissioner had been empowered to issue directions to a dealer to supply the quantity fixed. Otherwise, anybody can go to a dealer and ask for a drug and even if the dealer knows full well that the drug is not meant to be used properly, he will have to give. If he refuses, he will be punished under clause 8. This is one of the points to which I want to draw the attention of the Hon. Minister.

" Sir, there seem to be too many drug controls and controllers. There is the Surgeon-General with the Government of Madras who is administering some drug control. Here is another drug control. Cannot all these matters relating to drugs be placed under one officer preferably a medical man like the Surgeon-General with the Government of Madras? It may be that distribution and price control only rest with the Commissioner of Civil Supplies. But I feel that if the drug control is to be successful, it should be in the hands of a medical man who knows what drugs are, what their values are, and he can even be in a better position to fix the maximum quantity which can be held by a dealer at any time and administer all other provisions which control the possession, distribution and sale. I wish the Hon. Minister for Food considers the desirability of giving this drug control to the Surgeon-General with the Government of Madras as he has got already a senior officer as his Assistant to administer the drug rules. That is one of the suggestions which I would like to make. It was felt necessary to control and the Government, I think, did well in issuing an Ordinance which is to be replaced by a statute. Already the Commissioner of Civil Supplies has issued a long list of drugs and other controls. I do not know whether he, not being a medical man, was assisted by any one in preparing that list. That is one of the reasons why I wish this drug control to be in the hands of a medical man.

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who knows what are the drugs that have to be controlled, how they are to be distributed, under what circumstances they can be issued to the consumer, what quantity a wholesaler or retailer can possess at one time, what the demand for a particular drug is at a particular time and in a particular locality and so on. Especially an officer who has to deal with drug rules like the Surgeon-General with the Government of Madras, will be better qualified than any body else to enforce the provisions of this Bill. With these few words, I support the Bill. ''

Dr. V. K. JOHN :—'' I have one suggestion to make. While controls may be good, Government must concentrate on producing the drugs required, in this Province itself. We must not depend upon foreign imports. Secondly, we must encourage Indian medicines. We have lived and depended on these for centuries. So we must not depend on foreign medicines. '' 3 p.m.

* The Hon. Sri J. L. P. ROCHE VICTORIA :—'' With regard to the suggestion made that these controls can be administered better by medical men, I may say that the medical men who are already in charge of drugs do not find much time to devote their attention to these matters. I am sure that the Surgeon-General might have been consulted; if he has not been consulted, we can consult him. I can assure the hon. Member that necessary advice would be taken from qualified medical people in these matters.

'' With regard to the other suggestion that the local Indian drugs should be encouraged, I am sure that that is being done. Now these controls of course cover Indian drugs also. With the introduction of these controls, it is hoped that the Indian drugs will find a market. With these words, I move that the Bill may be taken into consideration immediately. ''

The DEPUTY PRESIDENT :—'' The question is—

' that the Madras Drugs (Control) Bill, 1949 (L.A. Bill No. 28 of 1949), as passed by the Legislative Assembly be taken into consideration at once '.''

The motion was carried.

Clauses 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 were then separately put and carried.

Clause 1 and the Preamble were put and carried.

* The Hon. Sri J. L. P. ROCHE VICTORIA :—'' Sir, I beg to move—

' *that the Madras Drugs (Control) Bill*, 1949 (*L.A. Bill No.* 28 *of* 1949), *as passed by the Legislative Assembly be passed into law* '.''

The DEPUTY PRESIDENT :—'' The question is—

' that the Madras Drugs (Control) Bill, 1949 (L.A. Bill No. 28 of 1949), as passed by the Legislative Assembly be passed into law '.''

The motion was carried and the Bill was passed into law.